

# IMPLEMENTATION

## 9.1 INTRODUCTION

The success of comprehensive planning lies in plan implementation. The overall plan outlines the town’s growth and development philosophy and provides a strategy for attaining the desired future conditions. The Implementation Element of the Town of Stinnett Comprehensive Plan outlines the sequence of activities or actions required in order to fulfill the town’s goals and objectives.

## 9.2 PLAN UPDATES AND REVISIONS

The Town of Stinnett Comprehensive Plan is intended to be a living document. Over time, social conditions, economic conditions, and values tend to change. The comprehensive plan should be updated periodically to reflect these changes. Systematic, periodic updates will ensure that not only the statistical data is current but also the plan’s goals, objectives, and policies reflect the current situation and modern needs. It is recommended the plan be updated at least once every five years (census data updated as available). Process and protocol for plan updates should follow the initial plan design and incorporate public involvement and comment.

## 9.3 CONSISTENCY WITHIN THE PLAN

Development of the comprehensive plan was done so in a coordinated and simultaneous effort, allowing for the planning process to ensure the development and review of each component is consistent with the others. Based on that review and overall analysis, there are no known inconsistencies between the planning elements. In the future, as plan amendments occur, it is important that the plan commission and town board both conduct consistency reviews to ensure the document continues to represent an integrated approach to planning.

## 9.4 MEASURING IMPLEMENTATION PROGRESS

As part of the comprehensive planning process a number of goals, objectives, and actions, that when implemented are intended to build stronger relationships and give direction to the town board, local residents, and landowners. Many of the objectives and actions can be accomplished in the short-term, while some are long-term tasks.

In order for the town to measure progress towards implementing the specific actions as represented in the plan, a time frame has been assigned to each action. These dates provide guidance to the plan commission and town board on when specific actions should be initiated. Based on the targets, the plan commission can then measure the progress of achieving implementation of the comprehensive plan.

Local participants in the planning process assisted in developing the list of goals, objectives, and actions. The goals are the “purpose or end” that provides direction for the town and other governmental organizations. Objectives are statements that are measurable benchmarks the community works to achieve, and the actions are more specific statements that set a preferred course of action to carry out the objectives in the foreseeable future.

## 9.5 PLAN GOALS, OBJECTIVES, AND POLICIES

### HOUSING

**Goal: To provide a range of housing opportunities to meet the varied needs of existing and future residents, while maintaining a predominantly rural atmosphere.**

*Objective 1: To support and encourage development of housing that will meet the needs of persons of all income levels, age groups, and special needs.*

A: Analyze the levels of income, age, and special needs.

B: Develop town zoning ordinances in conjunction with the county.

*Objective 2: To encourage quality construction and maintenance of existing properties.*

A: Comply with state mandated inspection ordinance by contracting with an inspector of the town board’s choice.

B: Research the development of town ordinances to maintain the health and safety of residents.

C: Research grants for housing rehabilitation and development with Northwest Regional Planning Commission or other pertinent agencies.

*Objective 3: Encourage the protection of residential areas from infringement of incompatible land uses.*

A: Ensure county zoning restricts reflect the Town of Stinnett’s Land Use Plan.

### TRANSPORTATION

**Goal: To provide a safe and efficient transportation system that meets the needs of multiple users.**

*Objective 1: Create and preserve existing motorized and non-motorized trails on county forestland keeping safety issues in mind and providing reasonable access and parking that will encourage public use.*

A. Work with local clubs and organizations interested in various modes of transportation (i.e. snowmobiles and ATVs).

B. Work with the county to develop a plan to expand our county forest trails and usage in the township.

*Objective 2: Consider the future needs of the transportation infrastructure to meet the safe needs of land use.*

A. Coordinate with other jurisdictions regarding safe transportation needs.

- Objective 3: Continue high quality maintenance of present and future town roadways.*
  - A. Monitor and update the road capital improvement plan on a regular basis.
  - B. Coordinate with the county and identify problem areas along county highway M and town roads.
  
- Objective 4: Consider public transportation options.*
  - A. Encourage public involvement on future needs of public transportation options.

**UTILITIES AND COMMUNITY FACILITIES**

**Goal: Support facilities and services that contribute to overall well-being of the community.**

- Objective 1: To maintain our rural integrity and discourage additional signage.*
  - A. Develop and enforce a sign ordinance.
  
- Objective 2: Encourage utility lines to be installed underground whenever possible and plan future utility expansion and design to blend into our rural atmosphere.*
  - A. Coordinate with utilities on planning, implementation, and future expansion of underground lines by restricting the location of solid waste facilities and transfer stations.
  
- Objective 3: Discourage siting of solid waste and recycling facilities and transfer stations.*
  - A. Ensure county zoning restrictions reflect Town of Stinnett’s Land Use Plan.
  
- Objective 4: Encourage development of community related functions, services, and facilities to be open and accessible to all township residents.*
  - A. Research local needs for community related functions, services, and facilities.

**NATURAL RESOURCES**

**Goal: Conserve, protect, manage, and enhance the town’s natural resources.**

- Objective 1: More input into management, usage, and acquisition of county forest lands within the town.*
  - A. Develop a town usage and acquisition plan for county forestland within the township.

- Objective 2: Cooperation with existing water and wetland protection acts.*
- A. Coordinate and review with lake associations regarding their existing plans.
  - B. Identify property owners with lake and wetland properties for future education and regulations of lake and wetland properties.
  - C. Ensure county zoning restrictions reflect Town of Stinnett's Land Use Plan.
- Objective 3: Define and preserve historic sites, buildings, and environmentally sensitive areas and habitat corridors.*
- A. Inventory historic signs within the township.
  - B. Identify on our land use plan environmentally sensitive areas and habitat corridors.
- Objective 4: Input on the management of mining practices.*
- A. Coordinate with the county to limit mining practices and stripping of topsoil in the township.
- Objective 5: Better land management regarding logging practices, forest crop management, and productive agricultural lands.*
- A. Encourage select cut for better forest management.
  - B. Encourage use of professional foresters.
  - C. Work and coordinate with forestry agencies.
  - D. Identify productive agricultural lands.

## **INTERGOVERNMENTAL COOPERATION**

### **Goal: Maintain and encourage cooperation with surrounding municipalities and agencies.**

- Objective 1: Maintain and enhance cooperative agreements with adjacent communities for the health, welfare, and the safety of our township residents.*
- A. Review cooperative agreements annually and review the need for additional agreements prior to the annual town meeting.
- Objective 2: Develop better working relationships with county, state (particularly the Wisconsin Department of Natural Resources), and federal agencies on issues affecting the town, requesting that the town have adequate input on decisions made.*
- A. Make sure the Town of Stinnett is on all relevant mailing lists to ensure the town is updated regularly.
  - B. Prioritize meetings that affect our township and make sure the town board assigns a representative to attend these meetings and report back to the town board.

**ECONOMIC DEVELOPMENT**

**Goal: To promote economic development activities that provide for a healthy, diversified, and sound economy with minimal effects on the environment.**

- Objective 1: Promote industry commercial and home-based enterprises that are compatible with our rural and recreational atmosphere, keeping in mind noise, traffic, and surrounding environment.*
  - A. Work with existing economic development organizations to assist with any potential economic development of the township.
  
- Objective 2: Encourage industrial development along County, State, Federal roadways and railroads.*
  - A. Develop focus groups to identify acceptable industrial development in the township.
  
- Objective 3: Consider location of development of future community systems and services.*
  - A. Update and review the towns land use plan annually and ensure county zoning restrictions reflect Town of Stinnett’s Land Use Plan.
  - B. Review the need of community systems and services annually.

**LAND USE**

**Goal: A coordinated, planned development pattern consistent with the rural characteristics of the community.**

- Objective 1: Solicit input from township residents over public land policies and use.*
  - A. Establish questionnaire on township’s ideas regarding forested lands.
  - B. When the need arises, the town will solicit ideas regarding land use of state, federal, and county lands.
  - C. Meet with county, state, and federal agencies to make sure their land use plans agree with the town’s land use plan.
  
- Objective 2: Protect and identify environmentally sensitive habitats and areas from inappropriate use.*
  - A. Communicate our specific ideas on land utilization with the use of public lands.
  - B. Develop a town land use plan for county forestlands.
  - C. Inventory environmentally sensitive areas and habitats adding a zoning clause to protect them.
  
- Objective 3: Separate land uses so they do not infringe on each other.*

- A. Update the land use zoning clauses annually to avoid overlapping and conflicting land use.

*Objective 4: Look into future town zoning and enforcement of such.*

- A. Coordinate with Northwest Regional Planning Commission regarding trends in zoning and enforcement.
- B. Review the Town’s comprehensive plan according to the law.
- C. Review local ordinances annually.

**The town board and plan commission are the responsible parties on all objectives and action statements. These would be implemented upon completion of the Town of Stinnett’s Comprehensive Plan.**

### **9.6 PLAN IMPLEMENTATION PROGRAMS**

The primary tool for the implementation of the Town of Stinnett Comprehensive Plan will be zoning. The Town of Stinnett has previously adopted the Washburn County Zoning Ordinance, with zoning districts and associated requirements being administered by the county. The Town of Stinnett does have the ability to adopt and enforce its own zoning, although this action would require county board approval. It should be noted that these regulations could be costly to develop and administer. The following is a list of programs and strategies that the town could implement or utilize in order to achieve plan goals and objectives, in conjunction with zoning.

#### **Purchase of Development Rights Program (PDR)**

This technique is currently in use in some southern counties of Wisconsin and elsewhere in the United States and has proven to be effective for preserving farmland in areas adjacent to cities. The purchase of development rights is a *voluntary* protection technique that compensates the landowner for limiting future development on their land. The programs are primarily used for retention of agricultural lands, but the concept can be applied to all types of land use scenarios. Under a PDR program, an entity such as a town, county, or private conservation organization purchases the development rights to a designated piece of property. The land remains in private ownership, and the landowner retains all the other rights and responsibilities associated with the property.

#### **Transfer of Development Rights (TDR) Program**

The TDR program is a non-regulatory (voluntary) approach that allows the right to develop property to be transferred from one parcel (or zoning district) to another. Under a TDR program, development rights to parcel of land are transferred from a “sending area” to another parcel referred to as the “receiving area”. Sending areas are typically those areas where development is discouraged or limited, and receiving areas are areas where growth and development are encouraged. Under some TDR programs, local government awards development rights to each parcel of developable land in the community or in selected districts on the basis of the land’s acreage or value. Landowners can then sell the development rights on the open market. The TDR program has been widely implemented at the local level due to the fact that it requires no major financial contribution by local government.

Benefits of the TDR program include:

- ▶ The public benefits from the conservation easements, which protect and preserve sensitive natural features and wildlife habitat.
- ▶ Owners of sending area properties receive economic compensation for their properties where development would normally be precluded due to sensitive natural features or zoning restrictions.
- ▶ Owners of receiving area properties can increase their development density, accommodating a greater number of uses or tenants.
- ▶ Little financial contribution on behalf of local government.

### **Acquisition**

This type of land preservation tool involves the direct purchase of land for the purposes of preservation and protection. This tool should be used in cases where other protective mechanisms fail to meet objectives and/or in cases of high-priority acquisition lands. Acquisition efforts should be coordinated with other local, state, and national acquisition initiatives (lake associations, environmental groups, USFS, WDNR, etc.)

### **Conservation Easements**

When a landowner sells their development rights, a legal document known as a conservation easement is drafted. The easement restricts the use of the land to agricultural use, open space, or other desired use in perpetuity. A conservation easement permanently limits residential, commercial, or industrial development to protect its natural attributes or agricultural value. The conservation easement becomes a part of the landowner's deed and remains on the deed even if the land is sold or passed through inheritance thereby ensuring the development will not occur on the property.

The conservation easement does not automatically allow public access to the land; the land remains in the hands of the owner, as only the right to develop it has been purchased. All remaining rights of property ownership remain with the landowner including the right to transfer ownership, swap, deed, or sell the land. A purchase of development rights program works to ensure that incompatible development will not take place; the PDR becomes a part of the deed and keeps the land in its agricultural or natural state in perpetuity. An effective purchase of development rights program requires initial financial support and on-going administration. Additionally, the program requires a county review board to assess the lands of landowners requesting entry of their parcel into the PDR program.

### **Land Trusts**

Land trusts are non-profit voluntary organizations that work with landowners to use a variety of tools to help them protect their land. Such organizations are formed with the purpose of protecting open space, scenic views, wildlife, etc. and they use a variety of techniques to raise money for operating expenses and the acquisition of easements. Land trusts also provide adequate monitoring and stewardship. In the United States, land trusts can hold conservation easements, which means that the organization has the right to enforce the restrictions placed on the land.

### **LESA Farmland Preservation Tool**

LESA is an acronym for land evaluation and site assessment tool, a program that assists in the evaluation of land based on its suitability for agricultural use and value for non-farm uses. This system, developed by the Soil Conservation Service in 1981, has been routinely adopted and implemented for use by local government throughout the nation. The system involves a two-part process, the land evaluation component (LE) and site assessment component (SA). The LE portion involves assessment of soil conditions as they relate to the production of food and fiber products. Site assessment typically involves an analysis of the non-soil variables which effect the property's use such as municipal services available, adjacent land uses, development suitability, compatibility with land use plans, and distance from populated areas (expansion areas). A point system is often used in order to quantify the variables of the LE and SA components. Points are assessed based on whether or not the property meets the guidelines of the community and then totaled to achieve a composite score. A threshold score then determines whether or not the property would be an appropriate residential development area or whether the land should remain in agricultural use.

<b>Land Protection Tool</b>	<b>Pro</b>	<b>Con</b>
<b>Donated Conservation Easements</b>	<p>Permanently protects land from development pressures.</p> <p>Landowners may receive income, estate, and property tax benefits.</p> <p>No or low cost to local unit of government.</p> <p>Land remains in private ownership and on the tax rolls.</p>	<p>Tax incentives may not provide enough compensation for many landowners</p> <p>Little local government control over which areas are protected.</p>
<b>Purchase of Development Rights</b>	<p>Permanently protects land from development pressures.</p> <p>Landowner is paid to protect their land.</p> <p>Landowners may receive estate and property tax benefits.</p> <p>Local government can target locations effectively.</p> <p>Land remains in private ownership and on the tax rolls.</p>	<p>Can be costly for local unit of government.</p>
<b>Transfer of Development Rights</b>	<p>Permanently protects land from development pressures.</p> <p>Landowner is paid to protect their land.</p> <p>Landowners may receive estate and property tax benefits.</p> <p>Local government can target locations effectively.</p> <p>Low cost to local unit of government.</p> <p>Utilizes free market mechanisms.</p> <p>Land remains in private ownership and on tax roll</p>	<p>Can be complex to manage</p> <p>Receiving area must be willing to accept higher densities.</p>

**Conservation Design Subdivisions**

The conservation design subdivision concept is an alternative development design to the conventional residential subdivision. Conventionally designed subdivisions are typically characterized by land divided into house lots and streets, with minimal (if any) open space. Usually, the remaining open space lands consist of the undevelopable portion of the subdivision (steep slopes, wetlands, floodplain, etc.). The conventional subdivision lacks communal open space, community woodlands, or other open areas where people can meet and interact.

The purpose of a conservation design subdivision is to provide opportunity for development while maintaining open space characteristics, encouraging interaction among residents through site design, and protection of habitat and environmental features. A typical conservation design subdivision contains the same number of lots that would be permitted under a conventional design. The lots are typically smaller than conventional lots and are designed for single-family homes reminiscent of traditional neighborhoods found in small towns throughout America.

The compact design of a conservation subdivision allows for the creation of permanent open space (typically 50 percent or more of the buildable area). This undeveloped land typically serves as community open space land and provides recreational, aesthetic, and social benefits to subdivision residents.

The conservation design subdivision has proven economic, environmental, and social advantages over conventionally designed subdivisions<sup>1</sup> including:

*Economic Advantages*

- ▶ Lower infrastructure and design (engineering) costs
- ▶ Attractiveness of lots for home development
- ▶ Reduction in demand for public parklands

*Environmental Advantages*

- ▶ Protection of conservation areas and upland buffers (which would normally be developed)
- ▶ Reduced runoff due to less impervious surface cover
- ▶ Improved water filtration due to presence of vegetation and buffers
- ▶ Opportunities for non-conventional septic system design

*Social Advantages*

- ▶ Opportunities for interaction among residents (common open space)
- ▶ Pedestrian friendly
- ▶ Greater opportunity for community activities

## **9.7 BEST MANAGEMENT PRACTICES (BMP)**

Best management practices describe voluntary procedures and activities aimed at protection of natural resources. BMPs are described in detail in the Wisconsin Department of Natural Resources publications titled “Wisconsin Construction Site Best Management Practice Handbook”, and “Wisconsin’s Forestry Best Management Practices for Water Quality”. Shoreland BMPs are a set of specific actions that landowners can take to help protect and preserve water quality. Detailed information on the use and implementation of shoreland BMPs is available from the University of Minnesota Extension (UM-EX).

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<sup>1</sup> Randall Arendt, *Conservation Design for Subdivisions*, (Island Press, Washington D.C., 1996), pp 3-16.

## 9.8 ADDITIONAL PLAN IMPLEMENTATION TOOLS

The following is a partial list and description of additional plan implementation tools available to local government to assist in achieving the goals and objectives of a land use plan.

### **Special Plans**

Special plans may arise through the planning process to address other specific issues. These plans often supplement the master plan and are important implementation tools. Some examples might include a downtown design plan, neighborhood plans or waterfront development plans.

### **Eminent Domain**

Eminent domain allows government to take private land for public purposes, even if the owner does not consent, as long as the government compensates the landowner for their loss. The legislature has delegated the power of eminent domain to local government for specific purposes.

### **Annexation / Incorporation**

Cities and villages have the power to annex lands within their extraterritorial boundaries. The power to extend municipal boundaries into adjacent unincorporated land allows a community to control development on its periphery, therefore, minimizing land use conflicts.

As an alternative to annexation, an unincorporated area may incorporate as a city or village, provided the unincorporated area meets certain statutory criteria.

### **Building Codes**

Municipalities may choose to enact building codes as part of their ordinances. Building codes are sets of regulations that set standards for the construction and maintenance of buildings in a community, which ensures that these buildings are safe. The codes are usually concerned with maintaining buildings in order to keep them from becoming dilapidated and/or rundown.

### **Moratoria**

Then enactment of a moratorium temporarily stops all development in a specified area in order to plan for growth. This includes identifying and protecting sensitive lands and other community resources. Local units of government can enact this tool.

### **General Zoning**

Zoning is a tool that gives governmental bodies the power to intervene in the lives of private citizens for the protection of public health, safety, and welfare. Zoning separates conflicting land uses and ensures that development is directed in certain areas that can accommodate that particular land use. Several different types of specialized zoning exist.

- **Floodplain Zoning-** Floodplain zoning ordinances are required by Wisconsin law and pertain to cities, villages, and towns. The Wisconsin DNR specifies minimum standards for development in floodplains, but local ordinances may be more restrictive than these rules.

- **Shoreland Zoning-** Wisconsin law requires that counties adopt zoning regulations in shoreline areas that are within 1,000 feet of a navigable lake, pond, or flowage or 300 feet of a navigable stream or the landward side of the floodplain, whichever distance is greater. Minimum standards for shoreland zoning ordinances are specified in rules developed by the Wisconsin DNR, while local standards may be more restrictive than these rules.
- **Exclusive Agricultural Zoning-** Municipalities may adopt exclusive agricultural zoning for farmland under the Farmland Preservation Program. For farmers to be eligible for income tax credits, they must meet standards that require a minimum parcel size of 35 acres limit the use of the land to those that are agriculturally related. The ordinance must comply with the county farmland preservation plan.
- **Extraterritorial Zoning-** Any city or village that has a plan commission may exercise extraterritorial zoning power in the unincorporated areas surrounding the city or village. The extraterritorial zoning power may be exercised in the unincorporated areas located within three miles of the corporate limits of a first, second, or third class city, or within one and half miles of a fourth class city or village.
- **Performance Zoning-** Performance zoning uses performance standards to regulate development. Performance standards are zoning controls that regulate the effects or impacts of a proposed development, instead of separating uses into various zones. The standards often relate to a sites development capability. For example, in agricultural areas, performance zoning could be used to limit development on prime agricultural soils and allow development on lower quality soils.
- **Bonus and Incentive Zoning-** Bonus or incentive zoning allows local governments to grant a bonus, usually in the form of density or the size of the development, in exchange for amenities such as parks or walking paths for example.
- **Overlay Zoning-** Overlay zones are designed to protect important resources and sensitive areas. The underlying zoning regulates the type of uses permitted, while the overlay zone imposes specific requirements to provide additional protection.
- **Mixed-Use Zoning-** Mixed-use zoning is an effective way to enhance existing urban and suburban areas and encourage infill development. Mixed-use zoning recognizes the existing mixture and encourages its continuance and may offer an alternative to struggling with nonconforming use complexities.
- **Inclusionary Zoning-** Inclusionary zoning provides incentives to developers to provide affordable housing as part of a proposed development project. For example, in exchange for higher density, a developer would have to build a specified number of low and moderate income dwelling units.

**Planned Unit Developments (PUDs)**

Planned Unit Developments (PUDs) are planned and built developments that create a variety of compatible land uses. These developments vary in densities and are subject to more flexible setbacks, design, and open space requirements than are afforded by traditional or general zoning.

**Reserved Life Estates**

This is a tool in which a landowner has the opportunity to sell or donate his or her land to a conservation organization but is able to continue living and managing the property until their death.

**9.9 FISCAL TOOLS**

**Capital Improvement Program (CIP)**

Capital Improvement Programs are a fiscal tool that can help communities plan for the timing and location of community facilities and utilities (such as municipal sewer and water service, parks or schools). CIPs ensure that proper budgets are allocated for future developments or improvements to community infrastructure.

**Impact Fees**

Impact fees are financial contributions imposed on new developments to help pay for capital improvements needed to serve the development. Local governments can impose impact fees to finance highways, other transportation facilities, storm water facilities, solid waste and recycling facilities, fire and police facilities etc.

**Tax Increment Financing (TIF)**

Cities and villages may designate tax increment financing districts to finance public improvements through the property taxes generated on future increases in the value of taxable properties in the district. Under TIF, the overlying taxing jurisdictions do not receive any tax revenues based on the increase in property valuation in a district until all improvement costs are paid. In this way, the TIF district assures that all taxing jurisdictions benefiting from development pay a share of the costs.

**9.10 HOW TO USE THE PLAN**

The Town of Stinnett Comprehensive Plan is intended to help guide growth and development decisions within the town. The plan is an expression of the town’s wishes and desires and provides a series of actions for assisting the community in attaining its goals. The Comprehensive Plan is not an inflexible or static set of rules. Rather, it is fluid and dynamic. The objectives and actions are intended to allow flexibility in light of new information or opportunities. The plan is not an attempt to predict the future; it is an attempt to record the fundamental community values and philosophy that citizens of the Town of Stinnett share and to use them as benchmarks in future decisions concerning growth, development, and community improvement. The plan guides considerations regarding not only land use but also addresses community issues such as housing, transportation and economic development.

The town planning commission, town board, and citizens to assist in reviewing all proposals pertaining to growth and development should utilize this document. Proposals should be examined to determine whether they are consistent with community wishes and desires, as expressed in the plan. A thorough review of the plan is necessary with particular attention given to the goals and objectives. Where the impact of a proposed development is minimal, the evaluation may simply be a determination of whether or not the plan provides relevant direction and whether the requested action is in conformance with the plan. Development proposals with significant potential impacts will require a more detailed analysis in order to determine consistency.

**9.11 CONCLUSION**

The Comprehensive Plan for the Town of Stinnett is intended to be a dynamic, evolving document. Periodic revision and update of the plan will ensure that it is accurate and consistent with the wishes and desires the community. Plan recommendations in this document provide the basis for evaluation of development proposals, and give the community a means for achieving their community vision. The specific action statements are meant to serve as the mechanisms for achieving the goals and objectives, which were defined throughout the planning process. Ultimately the success of the planning process will be measured by the future quality of life experienced by both residents and visitors.